



City of Seattle

Gregory J. Nickels, Mayor

Department of Design, Construction and Land Use

D. M. Sugimura, Acting Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Number: 2200518

Applicant Name: Ezra Teshome

Address of Proposal: 981 22nd Avenue

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide two parcels into three (3) parcels of land. Proposed parcel sizes are: A) 7,607 square feet; B) 3,777 square feet; and C) 3,826 square feet. The existing single family residences and garages are to remain.

The following approval is required:

Short Subdivision - to subdivide two existing parcels into three parcels of land.
(Chapter 23.24, Seattle Municipal Code)

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition, or
involving another agency with jurisdiction.

BACKGROUND DATA

Site & Area Description

The 15,210 square foot site, comprised of two lots, is located in a Single Family residential zone with a minimum lot size of 5,000 square feet (SF 5000), in the Central District of Seattle. The parcels are located on the west side of 22nd Avenue, one lot south of the southwest corner of the

intersection of 22nd Avenue and East Union Street. There is not a platted alley at the rear (west) of the property. Twenty-second Avenue is paved and improved with curbs, gutters, planter strips, and sidewalks on both sides of the street. There is an existing single family dwelling with an attached one-car garage located on the southerly portion of the site and an existing single family residence and detached garage located on the northerly portion.

The subject lot is relatively flat and is not located within any identified or designated Environmentally Critical Area. Twenty-second Avenue is a non-arterial street, pursuant to SMC Chapter 23.53. Properties adjacent to and on the blocks surrounding the site are also zoned SF 5000. Development in the area consists of one and two-story single family houses of varying age and architectural style on a variety of lot sizes, consistent with the zoning designation.

Proposal

The original proposal was to subdivide one parcel of land into two (2) lots. The proposal has been revised to include the parcel to the north. Overall, the two parcels will be subdivided into three parcels. Proposed lot areas are indicated in the summary above. Proposed Parcel C will be the southerly portion of the lot with the existing dwelling and attached garage addressed at 981 22nd Avenue. The northerly portion of the site with the existing dwelling and detached garage addressed at 983 22nd Avenue will be Parcel A. The undeveloped remainder between the two dwellings will be Parcel B. Proposed lots will have direct vehicle and pedestrian access to 22nd Avenue. The existing single family dwellings will be retained.

Public Comment

During the public comment period which ended on June 5, 2002, the City received one written comment raising general questions regarding the proposal.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*

6. *Is designed to maximize the retention of existing trees;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single family housing.*

Based on information provided by the applicant, referral comments from the Land Use Plans Examiner, the Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. The subject property is zoned single family residential. The allowable density of the subject property is one unit per lot. Maximum lot coverage is 35%. Front setbacks are an average of the neighboring adjacent lots, or twenty (20) feet, whichever is less. The minimum side yard setback is five (5) feet. Minimum rear yard setback is twenty (20) percent of the lot depth; the minimum rear yard is ten (10) feet.

This short subdivision was submitted partially on the basis of application of the 75% - 80% rule pursuant to SMC 23.44.010.B.1.b. By subdivision, lots in a single family zone may be created, which are “[a]t least seventy-five (75) percent of the minimum required lot area and [are] at least eighty (80) percent of the mean lot area of the lots on the same block face within which the lot will be located and within the same zone.” Seventy-five (75) percent of the minimum lot size of the SF 5000 zone is 3,750 square feet. Eighty percent of the mean lot sizes of the lots on the subject block face, between East Union and East Marion Street, exclusive of the subject parcels are 3,718 square feet. The proposed lot areas of Parcels A and B, 3,777 square feet and 3,826 square feet, is greater than eighty percent of the mean lot area of the lots on the same block face (3,718 sq. ft.) and greater than seventy-five percent of the minimum required lot area (3,750 sq. ft.). Thus, the proposed lot configuration meets the exception to the minimum lot area as contained in SMC 23.44.010(B)(1)(b). Parcel C, at 7,607 square feet, meets the minimum lot size of 5,000 square feet outright.

The lots created by this proposed division of land will conform to all development standards of the SF 5000 zoning district, even though proposed Parcels A and B will be smaller than the required 5,000 square feet, based on the exception to the minimum lot size provided for in SMC 23.44.010.B.1.b. The proposed parcels provide adequate buildable area to meet applicable setbacks, lot coverage requirements, and other Land Use Code development standards.

2. The proposed lots will have direct vehicular access to 22nd Avenue. The Seattle Fire Department has no objection to the proposed short plat. All private utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light has reviewed the proposal and does not require an easement to provide for

electrical facilities and service to the proposed lots. This short plat provides for adequate access for vehicles, utilities, and fire protection.

3. This area is served with domestic water, sanitary sewer, and storm drainage facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The Short Plat application has been reviewed by Seattle Public Utilities and a Water Availability Certificate was issued on May 23, 2002. The existing structure at 981 22nd Avenue is connected to two separate sewers. There is an uninspected sidesewer that is twinned with the property to the north addressed at 983 22nd Avenue to an 8-inch public combined sewer (PS) located in East Union Street. There is also a single sidesewer that connects to an 8-inch public sanitary sewer (PSS) located in 22nd Avenue. The PS in East Union Street will be the appropriate point for stormwater discharge from any development on the proposed Short Plat. An easement "along-the-line-as-constructed" should be included for that portion of the uninspected sidesewer that crosses Parcels A and B.

New construction with discharge to the sanitary sewer will require a sidesewer permit. Stormwater detention, with controlled release to the PS in East Union Street is likely to be required for construction in excess of 2,000 square feet of developmental coverage. Plan review requirements will be made at time of building permit application. If the project includes greater than 5,000 square feet of new or replaced impervious surface, a comprehensive drainage control plan prepared in accordance with SMC 22.802.015D and 22.802.020 may be required.

4. One objective of the short subdivision process is to increase opportunities for new housing development in order to ensure that there will be adequate capacity for future housing need. An equally important objective is to ensure that new development is compatible with neighborhood character. The proposed short subdivision will meet all the applicable Land Use Code provisions. The proposed development has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. The public use and interest will be served with this proposal because additional opportunities for owner occupied housing would be provided within the City limits as a result of this subdivision. The proposal will meet all applicable criteria for approval of a short plat upon completion of the conditions in this analysis and decision.
5. The proposed subdivision is not located in any environmentally critical area.
6. There is one fruit tree located in the northwest corner of the site. This tree can be preserved, depending upon the location any future construction, the extent of the root systems and the overall health of the tree. Thus, the proposal has been designed to maximize the retention of existing trees on the property. Future construction will be subject to the provisions of SMC 23.44.008, which sets forth tree planting requirements on single family lots.
7. This Short subdivision is not a unit subdivision. Thus, this section is not applicable to this short plat proposal.

DECISION - SHORT SUBDIVISION

The proposed short plat is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Prior to Recording

The owner(s) and responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
2. Submit the final recording forms for approval and any necessary fees.
3. Provide a utility easement across proposed Parcels A and B for the benefit of proposed Parcel C "along-the-line-as-constructed" for that portion of the uninspected sidesewer that crosses Parcels A and B. The legal descriptions should be revised accordingly to include the utility easement with the right of access for maintenance.

After Recording and Prior to Issuance of a Building Permit

4. Attach a copy of recorded short subdivision to all copies of future building permit application plans.

Signature: _____ (signature on file) Date: February 20, 2003
David Graves, AICP, Contract Land Use Planner
Department of Design, Construction and Land Use
Land Use Services

JS:vr